

Remarks/Arguments

Reconsideration of this application is requested.

Claim Status

Claims 1-20 were presented. Claims 11 and 12 are canceled, without prejudice. Claims 1 and 16 are amended. Thus, claims 1-10 and 13-20 are now pending.

Claim Rejections – 35 USC 102

Claims 1-4 and 16-18 are rejected under 35 USC 102(e) as anticipated by Morikawa (US 6,041,165). In response, independent claims 1 and 16 are amended to clearly distinguish over Morikawa. In particular, claim 1 is amended to recite:

...a receiving means for receiving an image wherein said receiving means is capable both of first receiving images of front pages and then receiving images of back pages and receiving images of front pages and back pages alternately...

and

...*regardless of the receiving order*, when images of two pages that are in relationship of a front page and a back page are stored in the image memory, the images of the two pages are recorded on both sides of a sheet by the recording unit...

Similarly, claim 16 recites:

...a first control mode in which when images of two pages that are in relationship of a front page and a back page are stored in the image memory, *regardless of whether the images are received in the order of front pages and then back pages or alternating front page then back page*, the images of the two pages are recorded on both sides of a sheet, and are erased from the image memory.

Morikawa fails to teach a receiving means that is capable *both* of first receiving images of front pages and then receiving images of back pages *and* receiving images of front pages and back pages alternately. Moreover, Morikawa fails to teach this in conjunction with, regardless of the receiving order, when images of two pages that are in relationship of a front page and a back page are stored in the image memory the images of the two pages are recorded on both sides of a sheet by the recording unit.

The ability to record images that are in the relation of a front page and a back page on both sides of a sheet makes it possible to erase the recorded images of the pages from the image memory, and thereby reduce the amount of image memory that is used (specification, paragraph [0007]). The ability to do so regardless of the receiving order means that images can be received and recorded while maintaining a low memory load even when all front page images are received before any back page images (specification, paragraph [0048]), and also permits coordination with a variety of transmitting machines (specification, paragraph [0003]).

Since Morikawa does not disclose each and every element of claims 1 and 16, or claims 2-4, 17 and 18 dependent thereon, it cannot anticipate those claims. The rejections under 35 USC 102(e) should be withdrawn.

Claim Rejections – 35 USC 103

Claims 5 and 6 are rejected under 35 USC 103(a) as obvious over Morikawa in view of Shibaki (US 5,724,490). Shibaki discloses only a method of postponing photocopying if a photocopier's memory becomes full, until some pages can be printed and memory is cleared. It does not remedy the deficiencies of Morikawa, discussed above, with respect to claim 1 from which claims 5 and 6 depend. Accordingly, claims 5 and 6 are not rendered obvious by Morikawa and Shibaki. The rejections under 35 USC 103 should be withdrawn.

Claims 7-10 and 20 are rejected under 35 USC 103(a) as obvious over Morikawa in view of Katsumasa (JP 05162008). Katsumasa merely discloses a

copying machine capable of filtering out excessive blank pages (see abstract). When copying 2-sided sheets to 1-sided sheets a blank side is encountered, Katsumata's device declines to read the blank side and thereby saves itself from printing a page that is blank on both sides. As such, Katsumasa does not remedy the deficiencies of Morikawa, discussed above, with respect to claims 1 and 16 from which claims 7-10 and 20 depend. Accordingly, claims 7-10 and 20 are not rendered obvious by Morikawa and Katsumasa. The rejections under 35 USC 103 should be withdrawn.

Claim 15 is rejected under 35 US 103(a) as obvious over Morikawa in view of Ikuo (JP 09352379). Ikuo does not remedy the deficiencies of Morikawa, discussed above, with respect to claim 1 from which claim 15 depends. Accordingly, claim 15 cannot be rendered obvious by Morikawa and Ikuo. The rejections under 35 USC 103 should be withdrawn.

Moreover, applicant notes that Ikuo teaches a device that alternately records data on the front side and rear side of a sheet only when data is transmitted in that order (see abstract). Ikuo provides a transmitting means that transmits either all fronts and then all backs or alternating fronts and backs of sheets based on the state of the receiving means (see abstract). Ikuo's device cannot record one side of a sheet, reverse the sheet, and then record the back of the sheet if the fronts of all pages are received before the backs of the pages are received. Consequently, Ikuo fails to teach that recording can proceed by recording one side of a sheet, reversing the sheet, and then recording the other side of the sheet, regardless of the order in which the images to be recorded are received, as is provided by applicant's invention.

Claim 13 is rejected under 35 USC 103(a) as obvious over Morikawa in view of Matsubara (US 5,920,744). Claim 14 is rejected under 35 USC 103(a) as obvious over Morikawa in view of Rikima (US 5,918,088). Matsubara and Rikima fail to remedy the deficiencies of Morikawa discussed with reference to claim 1. Accordingly, since claims 13 and 14 depend from claim 1, they are not rendered

Appl. No. 09/991,308
Amdt. dated January 9, 2006
Reply to Office Action of September 22, 2005

Atty. Ref. 81800.0172
Customer No. 26021

obvious by Morikawa in combination with either Matsubara or Rikima. The rejections under 35 USC 103(a) should be withdrawn.

Conclusion

This application is now in condition for allowance. The examiner is invited to telephone the undersigned to resolve any issues that remain after entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: January 9, 2006

By: 

Troy M. Schmelzer
Registration No. 36,667
Attorney for Applicant(s)

500 South Grand Avenue, Suite 1900
Los Angeles, California 90071
Phone: 213-337-6700
Fax: 213-337-6701